



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/342,866 06/29/99 LIN

W 244/031

023410
NEAL M COHEN
2424 SE BRISTOL STREET
SUITE 300
NEWPORT BEACH CA 92660

TM02/1010

EXAMINER

THOMPSON JR, E

ART UNIT

PAPER NUMBER

2165
DATE MAILED:

10/10/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Interview Summary

Application No.
09/342,866

Applicant(s)

LIN

Examiner
Forest Thompson Jr.

Group Art Unit
2165



All participants (applicant, applicant's representative, PTO personnel):

- (1) Forest Thompson Jr. (3) _____
(2) Neil Cohen (949) 724-1849 (4) _____

Date of Interview 10/3/01

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy is given to 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: all independent claims

Identification of prior art discussed:

Goldhaber et al (U.S. Patent No. 5,855,008), Walker et al. (U.S. Patent No. 6,216,111)

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) N/A

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Mr. Cohen (applicant's representative) presented some arguments for the independent claims and questioned whether another search was conducted for prior art by examiner. Examiner stated that he reviewed the references listed above and considers them appropriate to reject the claimed features argued and claimed by applicant: (1) during the price determining activity (PDA), the price of the product is scaled to the performance of the buyer; and (2) the performance of the buyer during the PDA is what determines the price of the product. The point here is the applicant says that the PDA and the product are associated through the claims, and not independent activities/objects. Examiner said that the identified art provides equivalent actions, although the art does not provide the explicit language stated in the claim for the dependency of (2) on (1) as stated in applicant's independent claims. Applicant stated that he disagreed with examiner and would consider some further action on the application.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Forest Thompson Jr.
AU 2165
(703) 206-5449

Wynn Coggins
WYNN COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.